

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

WINERIES OF THE OLD MISSION
PENINSULA (WOMP) ASSOC., a
Michigan Nonprofit Corporation, et al

Case No. 1:20-cv-01008

Plaintiffs,

v.

PENINSULA TOWNSHIP, Michigan
Municipal Corporation,

Hon. Paul L. Maloney
Magistrate Ray S. Kent

Defendant.

ORDER

This matter is before the Court on Plaintiffs' Motion to Compel Discovery Responses and Brief in Support (ECF Nos. 50 and 51). Defendant has responded ([ECF No. 58](#)). The parties appeared at a hearing on May 17, 2021, and the Court being fully advised in the premises, Plaintiffs' Motion to Compel Discovery Responses is **GRANTED in part** and **DENIED in part**:

IT IS ORDERED that Plaintiff's motion to compel supplemental responses to all Requests for Production is **GRANTED**. Within 30 days from the date of this Order, Defendant shall organize and label all documents and identify which documents are responsive to each request for production. Further, and within 30 days from the date of this Order, Defendant shall conduct a reasonable search for third party correspondence documents related to revisions of the ordinance at issue in this lawsuit and supplement its responses and production to requests related to revisions to the ordinances.

IT IS FUTHER ORDERED that Plaintiffs' motion to compel a response to Interrogatories 2-4 is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiffs' motion to compel a response to Interrogatory 5 is **GRANTED in part**. Defendant shall fully respond to Interrogatory #5 limited to the previous five years and only those property owners with agriculturally zoned parcels.

IT IS FURTHER ORDERED that Plaintiffs' motion to compel a response to Interrogatories 6-9 and 11-13 is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiffs' motion to compel a response to Requests to Admit 1-4 is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiffs' motion to compel a response to Request to Admit 14 is **GRANTED in part**. The Request is narrowed to include only agriculturally zoned land and Defendant shall amend and supplement its response to fully address the request as amended.

IT IS FURTHER ORDERED that Plaintiffs' motion to compel a response to Requests to Admit 56-58 is **GRANTED in part**. The Requests are narrowed to include only Winery Chateaus instead of all types of wineries. Defendant shall amend and supplement its responses to fully address the requests as amended.

As to the remainder of Plaintiffs Motion to Compel, it is **DENIED**.

IT IS SO ORDERED.

/s/ Ray Kent
RAY S. KENT
United States Magistrate Judge

Dated: May 25, 2021

Stipulated as to Form:

Dated: May 20, 2021

/s/ John S. Gilliam (w/permission)

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Dated: May 20, 2021

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